

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

NICHOLAS D. CAPRA,

Plaintiff,

v.

GREENPOINT MORTGAGE FUNDING,
et al.,

Defendants.

Case No. 2:11-CV-1312-KJD-PAL

ORDER

Presently before the Court is Plaintiff's Motion to Withdraw Complaint (#9). The Court construes the *pro se* pleading liberally as a notice of dismissal under Federal Rule of Civil Procedure 41(a)(1)(A)(i). Since no defendant has filed an answer or motion for summary judgment, Plaintiff's Motion is **GRANTED**. Defendant JP Morgan Chase Bank, NA's Motion to Dismiss (#6) is **DENIED as moot**. However, Defendant's Motion to Expunge Lis Pendens (#7) is **GRANTED**. Plaintiff's complaint is dismissed without prejudice and the Clerk of the Court shall close this case. **IT IS SO ORDERED.**

DATED this 2nd day of November 2011.



Kent J. Dawson
United States District Judge